

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

2. In autumn 2011, I was approached by Price Forbes, a broker acting for and on behalf of (i) National Passenger Railroad Corporation (“Amtrak”) and (ii) an insurance company owned by Amtrak by the name of Passenger Railroad Insurance Limited (“PRIL”). PRIL is what is referred to as Amtrak’s “captive” insurance company. At that time, as a matter of corporate policy and/or regulations, Partner Re was not able to provide direct insurance to Amtrak, and instead agreed to enter into a contract of facultative reinsurance with PRIL.
3. Attached as Exhibit A is a true and correct copy of the facultative reinsurance contract between Partner Re and PRIL (the “Facultative Reinsurance Contract”) as of 1st December 2011, as it existed the first day of the policy period. As stated on page 4 (PAR000004), “This document details the Contract Terms entered into by the Insurer(s) and constitutes the Contract Documentation.” The stamp I used to bind Partner Re to this contract is shown on page 10 (PAR0000010) and, among other things, provides an internal Partner Re policy reference number. The unique market reference (“UMR”) assigned to this contract by the broker is B0507N11NA08246, as shown on page 19 (PAR0000019).
4. Attached as Exhibit B is a true and correct copy of an endorsement (Endorsement #3) (PAR0000022) to the Facultative Reinsurance Contract signed by Partner Re on 7th March 2012.
5. Attached as Exhibit C is a true and correct copy of an endorsement (Endorsement #4) (PAR0000023-24) to the Facultative Reinsurance Contract signed by Partner Re on 25th April 2012.
6. Partner Re’s files contain no record of an Endorsement #5 for this contract.

7. Attached as Exhibit D is a true and correct copy of an endorsement (Endorsement #6) (PAR000025) to the Facultative Reinsurance Contract signed 22nd October 2013. Endorsement #6 states that the “INFORMATION section” of the Facultative Reinsurance Contract between Partner Re and PRIL is amended to state “All terms as per Original Policy Number NRPC – N11NA08246 (Passenger Railroad Insurance Limited) As provided to and on file with Price Forbes and Partners Limited.”
8. Attached as Exhibit E is a true and correct copy from Partner Re’s files of an e-mail (PAR 000113-114) and attachment (PAR 000115-161) constituting what was provided to me by Price Forbes as Original Policy Number NRPC – N11N08246, the contract between Passenger Railroad Insurance Limited (“PRIL”) and Amtrak. I reviewed this document on 6th December 2011, as indicated in the e-mail and as shown by the “Noted and Agreed” stamp on the first page of the attachment (PAR000115). This is not a type of stamp that I use when binding Partner Re to a contract as, among other things, it has no space for an internal Partner Re policy reference number.
9. I have reviewed the document that is attached to Amtrak’s Complaint as Exhibit 21 and Amtrak’s Amended Complaint as Exhibit 19. That document is not a true and correct copy of the Facultative Reinsurance Contract between Partner Re and PRIL. Instead, that document is a copy of Original Policy Number NRPC-N11N08246, the contract between PRIL and Amtrak, which I reviewed on 6th December 2011, as shown in Exhibit E to this Declaration and discussed in paragraph 8, above.

I, Daniel Bollier hereby verify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.



[signature]

Executed on: December 15, 2014

Zurich, Switzerland